

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor: Charles E. Taylor et al.
Appl. No.: Continuation of 09/730,499
Filed: November 12, 2003
Title: Electro-Kinetic Air Transporter-Conditioner

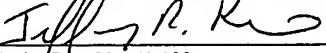
PATENT APPLICATION

Art Unit: 1711
Examiner: Thao T. Tran

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on November 12, 2003.


(Attorney Signature)
Jeffrey R. Kurin, Reg. No. 41,132
Signature Date: 11/12/03

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with MPEP §609.
- The present application is being/was filed after June 30, 2003. In accordance with the pre-Official Gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. Copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 C.F.R. §1.98(a)(2), as still required.
- The present application is being/was filed after June 30, 2003. In accordance with the pre-Official Gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. Additionally, copies of cited foreign patent documents and non-patent literature, items marked with an asterisk(*), are enclosed in accordance with 37 C.F.R. §1.98(a)(2), as still required. The non-asterisked items were previously submitted in an Information Disclosure Statement by applicant in a parent application (see legend at end of Form PTO-1449), from which benefit under 35 U.S.C. §120 is claimed, which Information Disclosure Statement complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

- The present application is being/was filed after June 30, 2003. In accordance with the pre-Official Gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. Additionally, all cited foreign patent documents and non-patent literature are not enclosed because they were previously submitted in an Information Disclosure Statement by applicant in a parent application (see legend at end of Form PTO-1449), from which benefit under 35 U.S.C. §120 is claimed, which Information Disclosure Statement complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).
- The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed.
- The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed, marked by an asterisk (*). The items not asterisked were previously submitted by applicant in a parent application (see Legend at end of Form PTO-1449), from which benefit under 35 U.S.C. §120 is claimed, with an Information Disclosure Statement submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).
- If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).
- ***PTA Statement under 37 C.F.R. §1.704(d).*** Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

This statement should be considered because:

- 37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:
 - (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
 - (2) It is being filed within 3 months of entry of a national stage;
-- OR --
 - (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
 - (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.
- **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

(1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

(1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --
 (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

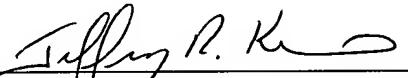
— **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

(1) It is being filed on or before payment of the issue fee;
-- AND --
(2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --
(3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

X **Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 06-1325.

Respectfully submitted,

Date: November 12, 2003

By: 
Jeffrey R. Kurin, Reg. No. 41,132

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INFORMATION DISCLOSURE CITATION
BY APPLICANT

Applicant

Charles E. Taylor et al.

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PENDING U.S. PATENT APPLICATIONS

Examiner Initial		Application Number	Filing Date	Inventor	Petition to Expunge	
					Yes	No
1.		*09/669,253	9/25/2000	Taylor et al.		X
2.		*09/924,600	8/8/2001	Taylor et al.		X
		10/074,096	2/12/2002	Taylor et al.		X
		10/074,347	2/12/2002	Taylor et al.		X
		10/074,379	2/12/2002	Taylor et al.		X
3.		*10/278,193	10/21/2002	Reeves		X
4.		*10/405,193	4/1/2003	Taylor		X

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Publication Date	Country	Translation	
					Yes	No
		WO00/10713 A1	3/2/2000	International	✓	
		WO 01/47803 A1	7/5/2001	International	✓	
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7.	*EP 0433152 A1	12/10/1990	Europe	✓	
8.	*FR 2690509	10/29/1993	France		✓
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

"Zenion Elf Device," drawing, prior art.

Electrical schematic and promotional material available from Zenion Industries, 7 pages, August 1990.

Promotional material available from Zenion Industries for the Plasma-Pure 100/200/300, 2 pages, August 1990.

Promotional material available from Zenion Industries for the Plasma-Tron, 2 pages, August 1990.

LENTEK Sila™ Plug-In Air Purifier/Deodorizer product box copyrighted 1999, 13 pages.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Copies of non-asterisked items are not submitted because they were submitted in prior application SN 09/730,499, filed December 5, 2000 and relied upon under 35 USC §120.